

### **STATUS OF THE CLAIMS**

Claims 2, 5-6, 8, 14-15 and 33-34 are pending in the application.

Claims 16-31 are withdrawn.

Claims 5, 6, 8, and 15 are amended.

Claims 1, 9-13, and 32 are cancelled.

### **REMARKS**

The Office Action of February 18, 2004, has been received and carefully studied. In response thereto, applicant has amended the claims to clarify the invention and the scope of the invention.

The present invention describes and claims a non-slip, non-adhesive shelf liner sheet. Its lower surface is designed to grip a shelf or other surface on which the liner sheet is placed and yet be movable as necessary.

Claims 14 and 34 were rejected under 35 U.S.C. §102(e) as being anticipated by Ramesh, et al., U.S. Patent No. 6,391,438.

Claims 1, 9, 15, and 32 were rejected under 35 U.S.C. §102(e) as being anticipated by or in the alternative, under 35 U.S.C. §103(a), as unpatentable over Ramesh, et al.

Claims 5, 6, 10, and 33 were rejected under 35 U.S.C. §103(a) as being as unpatentable over Ramesh, et al. in view of Cougar, U.S. Patent No. 6,216,819.

Claim 8 was rejected under 35 U.S.C. §103(a) as being as unpatentable over Ramesh, et al. in view of Fumei, et al. U.S. Patent No. 4,016,327.

Claims 2 and 11 were rejected under 35 U.S.C. §103(a) as being as unpatentable over Ramesh, et al. in view of Applicant's "admitted prior art" ("APA").

Claims 12 and 13 were rejected under 35 U.S.C. §103(a) as being as unpatentable over Ramesh, et al. in view of ("APA") and further in view of Cougar.

The drawings were objected to for failing to comply with 37 CFR 1.84 (p)(4). A proposed drawing correction accompanies this amendment. Applicants have amended Figure 5 to replace

16a (top) with 14a, as supported by the specification at page 9, line 4.

### **Claim Rejections**

#### **Claims 2, 5, 6, 8, 14, 15, 33, and 34**

Claims 14 and 34 were rejected as being anticipated by Ramesh, et al. and claim 15 was rejected as being anticipated by/unpatentable over Ramesh, et al.

Specifically, the Examiner asserts Ramesh's "foam/film composite structure having a coefficient of friction ranging from 0.5 to 2.0 as measured at the upper surface of the film (abstract) making it suitable for non-skid foams."

The Ramesh patent discloses a composite structure **10** including a foam sheet **12** formed from a polyolefin, such as low density polypropylene, and a film **14**, which comprises a blend of a polyethylene polymer and a thermoplastic elastomer adhered thereto. However, it is the *film* of Ramesh that has non-slip characteristics, not the foam. The background section of Ramesh clearly indicates that although polyethylene foam is useful as a drawer liner it has a *low* coefficient of friction. The elastomer in the film is said to provide the structure with a non-skid surface (col. 4, lines 11-27).

Claim 14 of the present application recites a continuous foam layer of uniform thickness and about 30-40 mils thick adjacent to said film and adhering to said film, **the foam layer defining a non-slip bottom surface** for contacting a household surface. Thus, it is the foam, rather than the film, which has a non-slip surface.

Ramesh makes no suggestion of making the foam non-slip. Moreover there is no motivation for making Ramesh's foam structure non slip, since Ramesh uses the film layer as a non-skid surface.

With respect to claims 5, 6, and 33, the Examiner further cites Cougar. Cougar does not supply the deficiencies of the primary reference. There is no suggestion in Cougar of providing a foam layer with a non-slip surface. Rather Cougar uses hook and loop fastening material to

attach a kneeling pad to a complementary hook and loop surface on a kneeling board. Such a system is costly to produce and requires both the pad and the surfaces to which the pad is attached to have hook and loop material.

Claim 2 has been amended to depend from claim 14.

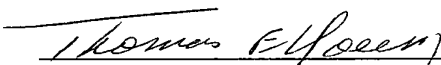
With respect to claim 8, the Examiner cites Fumei, et al. As with Cougar, there is no suggestion in Fumei of providing a foam layer which defines a non-slip bottom surface.

Accordingly, it is submitted that claim 14, and claims 2, 5, 6, 8, 15, 33, and 34 dependent therefrom, distinguish over the references of record.

Should the Examiner have questions or believe that further amendments to the claims are required, it is requested that the Examiner call applicant's attorney at the below stated number.

Respectfully submitted,

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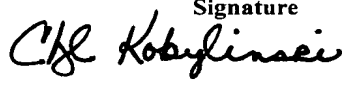
**Certificate of Mailing**

Under 37 C.F.R. § 1.8, I certify that this Amendment is being

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Date 18 May 2004	Printed Name Cheryl M. Kobylinski

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

INVENTOR(S) : McCune  
TITLE : LATEX-BACKED SMOOTH LINER  
APPLICATION NO. : 10/071,291  
FILED : February 11, 2002  
CONFIRMATION NO. : 2439  
EXAMINER : Hai Vo  
ART UNIT : 1771  
LAST OFFICE ACTION : February 18, 2004  
ATTORNEY DOCKET NO. : MAEE 2 12918  
Cleveland, OH 44114  
May 18, 2004

**APPENDIX**

Applicants request approval for the drawing change to Figure 5 noted in red. A clean copy showing the changes made is enclosed herewith.

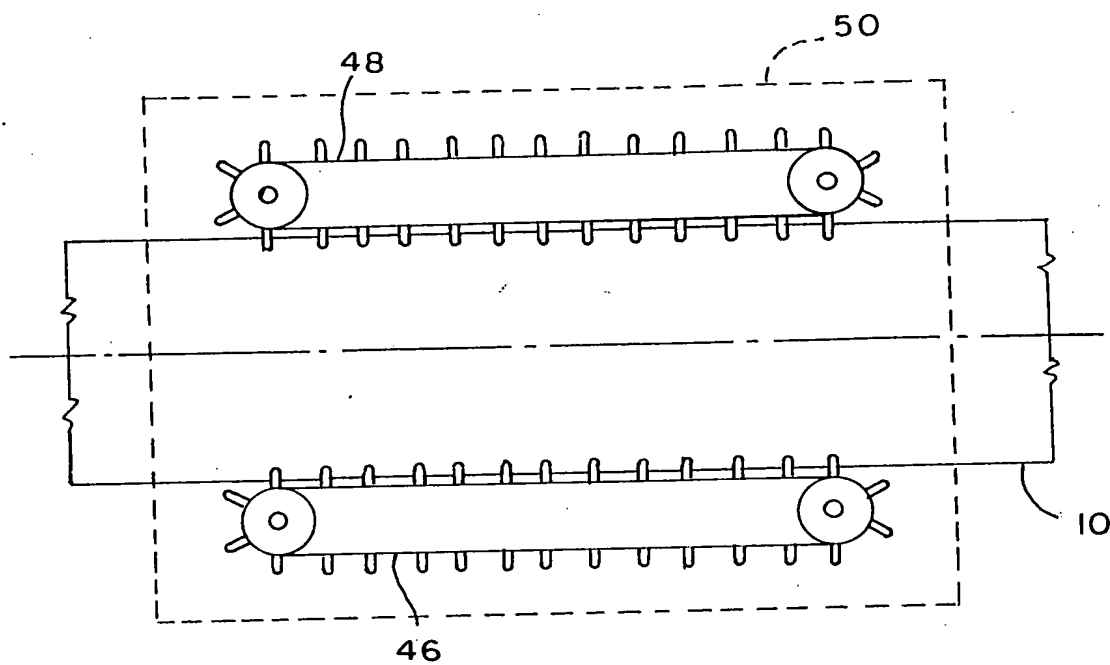


FIG. 4

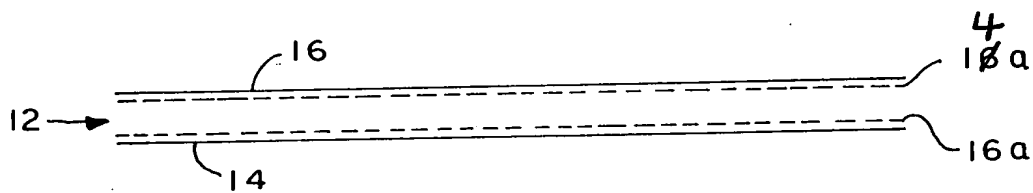


FIG. 5